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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,380	01/09/2004	Min-jo Choi	116511-00120	6096
27557	7590	11/06/2006	EXAMINER	
BLANK ROME LLP 600 NEW HAMPSHIRE AVENUE, N.W. WASHINGTON, DC 20037			HOPKINS, ROBERT A	
			ART UNIT	PAPER NUMBER

1724

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/753,380

Applicant(s)

CHOI ET AL.

Examiner

Robert A. Hopkins

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12-30-04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by
Lee(2004/0123416)

The applied reference has a common assignee with the instant application.
Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Lee recites a locking unit of a cyclone dust collector of a vacuum cleaner , which is removably received in a receiving portion of a main body of the vacuum cleaner, comprising a locking recess formed at one side of a contact surface of the cyclone dust collector and the receiving portion, a lock element , ascending and descending between a locking position and an unlocking position with respect to the locking recess and passing through a hole which is formed at another side of the contact surface of the

cyclone dust collector and the receiving portion, and an operating member to selectively move the lock element to the locking position and the unlocking position. Lee teaches wherein the locking recess is formed by depressing upwardly at a bottom side of the cyclone dust collector, and the lock element is received in a manipulating unit disposed at a lower portion of the receiving portion to move upward and downward through the hole at a bottom side of the receiving portion. Lee further teaches wherein the operating member comprises a grip(343) rotatably exposed toward a front side of the manipulating unit, a bar extending from the grip toward the lock element passing through the front side of the manipulating unit, and an operating cam formed eccentrically on a free end of the bar, the operating cam rotating together with the grip to move the lock element upward and downward.

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Allowable Subject Matter

Claims 4-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 4 recites "wherein, in the main body of the vacuum cleaner a supporting rib is formed to rotatably support a terminal end of the extended bar". Lee fails to teach a supporting rib which is formed to rotatably support a terminal end of the extended bar. It would not have been obvious to someone of ordinary skill in the art at the time of the

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invention to provide a supporting rib which is formed to rotatably support a terminal end of the extended bar because Lee does not suggest such a modification.

Claim 5 recites "wherein , an indicator at the front side of the manipulating unit is disposed to indicate locking and unlocking of the lock element with respect to the locking recess". Lee fails to teach an indicator at the front side of the manipulating unit which is disposed to indicate locking and unlocking of the lock element with respect to the locking recess. It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide an indicator at the front side of the manipulating unit which is disposed to indicate locking and unlocking of the lock element with respect to the locking recess because Lee does not suggest such a modification. Claims 6 and 7 depend on claim 5 and hence are also allowable upon incorporation of claims 5,3 and 2 into claim 1.

Claim 8 recites "wherein the main body of the vacuum cleaner comprises: a body casing; and a front panel coupled to a front side of the body casing to form a receiving portion , which includes the manipulating unit at a lower portion thereof". Lee fails to teach a body casing; and a front panel coupled to a front side of the body casing to form a receiving portion , which includes the manipulating unit at a lower portion thereof. It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide a body casing; and a front panel coupled to a front side of the body casing to form a receiving portion , which includes the manipulating unit at a lower portion thereof because Lee does not suggest such a modification.

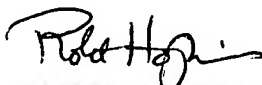
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Hopkins whose telephone number is 571-272-1159. The examiner can normally be reached on Monday-Thursday, 7:30am-5pm, every Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rah
October 30, 2006


ROBERT HOPKINS
PRIMARY EXAMINER
A.U. 1724